

REMARKS

Claim 9 has been amended by incorporating Claim 15. Claims 8 and 15 have been canceled. No new matter has been added. Applicants respectfully request entry of the amendments and reconsideration of the present application in view of the amendments and following remarks.

Claim Rejection – 35 U.S.C. § 103

Claim 8 has been rejected under 35 U.S.C. § 103 as being unpatentable over Sturt et al. Kawasaki et al. in view of Peterson, further in view of Jaillet et al. In view of the cancellation of Claim 8, this rejection is moot.

Claim Rejection – 35 U.S.C. § 103

Claims 9-12 have been rejected under 35 U.S.C. § 103 as being unpatentable over Sturt et al. in view of al. Kawasaki et al., and Claim 15 has been rejected in view of these references, in further view of Peterson and Jaillet.

The subject matter of Claim 15 has been incorporated with Claim 9. Thus, the rejection of Claim 15 will be addressed. The Examiner combines the cloth cover of Peterson and air permeability disclosed by Jaillet. However, the lining material of Jaillet has a multi layer structure and the permeability disclosed is for only one of the layers, not for the material as whole. There is no reason for a person having ordinary skill in the art to apply the permeability from just one of the materials in the Jaillet's multi layer structure to the cloth cover of Peterson. Thus, even under the stricter standard for combining references set forth in the Supreme Court's KSR decision, the reference cited by the Examiner will not lead to a prima facie showing of obviousness.

Further, Sturt and Kawasaki references concern a visor permits shading while still allowing a viewer to see through the visor by looking through optical through holes with a covering material as disclosed by Peterson. Thus, it would be improper to combine the Peterson reference with these references. See MPEP § 1504.03.

Application No.: 10/573,637
Filing Date: March 28, 2006

Moreover, the combination of a core having the recited open area ratio of 2-30% and a cover having the recited air permeability provides an unexpected improvement in sound absorption property of the visor. Fig. 3 shows that across the entire recited open area ratio that significant sound absorption improvement compared to core having a 0% open area ratio can be confirmed. Moreover, Fig.5 shows the results comparing a specific visor made according to the present invention and having a open area ratio of 10% provides significant sound dampening when compared to a visor made in the same manner except with a core having an open area ratio of 0%. The effect is particularly evident in the important frequencies of 2,000-4,000 Hz. These unexpected results would rebut a prima facie showing of obviousness even were such a showing present

Allowable Subject Matter

Claims 1-7 have been allowed. The applicants acknowledge the allowance of the claims with appreciation.

CONCLUSION

In the light of the applicant's amendments to the claims and the foregoing Remarks, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any remaining concerns which might prevent the prompt allowance of the application, the Examiner is respectfully invited to contact the undersign at the telephone number appearing below.

Application No.: 10/573,637
Filing Date: March 28, 2006

No Disclaimers or Disavowals

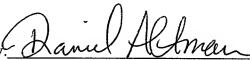
Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: October 7, 2008

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